

**GOVERNMENT OF ANDHRA PRADESH**  
**ABSTRACT**

Public Services – PR & RD Department – Allegations of irregularities in execution of work “CPWS to Kotagiri and 23 habitations (Phase-II)” in Nizamabad District – Sri Z. Sudhakar, formerly Asst. Executive Engineer, Drawing Branch at Banswada Division, Nizamabad District now at Panchayat Raj – Disciplinary proceedings under Rule 20 of Andhra Pradesh Civil Services (CC&A) Rules, 1991 – Article of Charges – Issued.

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PANCHAYAT RAJ & RURAL DEVELOPMENT (VIG.I) DEPARTMENT

**G.O.Rt.No. 73.**

**Dated: 20.01.2010.**

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**ORDER:**

It is proposed to hold an enquiry against Sri Z. Sudhakar, formerly Asst. Executive Engineer, Drawing Branch at Banswada Division, Nizamabad District now at Panchayat Raj, in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of articles of charges Annexure-I. A list of documents by which and a list of witnesses by whom, the articles of charges are proposed to be sustained are appended as Annexure-II and Annexure-III.

3. Sri Z. Sudhakar, formerly Asst. Executive Engineer, Drawing Branch at Banswada Division, Nizamabad District now at Panchayat Raj, is directed to submit within (10) days of the receipt of this order, a Written statement of defence. He is informed that an inquiry will be held only if the article of charge is not admitted. He should, therefore, specifically admit or deny the article of charge.

4. Sri Z. Sudhakar, formerly Asst. Executive Engineer, Drawing Branch at Banswada Division, Nizamabad District now at Panchayat Raj, is further informed that if he does not submit his written statement of defence within the stipulated period specified in para (3) above, further action will be processed based on the material available.

5. Attention of Sri Z. Sudhakar, formerly Asst. Executive Engineer, Drawing Branch at Banswada Division, Nizamabad District now at Panchayat Raj, is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings, it will be presumed that he is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

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6. The receipt of this G.O. shall be acknowledged forthwith.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

M.V.P.C. SASTRY  
PRINCIPAL SECRETARY TO GOVERNMENT

To  
Sri Z. Sudhakar, formerly Asst. Executive Engineer, Drawing Branch at  
Banswada Division, Nizamabad District now at Panchayat Raj through  
the Engineer-in-Chief, Panchayat Raj, Hyderabad.  
The Engineer-in-Chief, Panchayat Raj, Hyderabad.  
(with a request to serve and return the acknowledged copy and W.S.D.)  
Copy to:  
The G.A.(V&E) Dept.  
SF/SCs

//FORWARDED: BY ORDER//

SECTION OFFICER

## ANNEXURE-I

(to G.O.Rt.No. 73 , Panchayat Raj & Rural Development Department,  
dt. 20.01.2010)

### **CHARGE:**

That Sri Z. Sudhakar, formerly Asst. Executive Engineer, Drawing Branch at Banswada Division, Nizamabad District now at Panchayat Raj, has committed irregularities for his personal gain by misutilising his official position and failed to notice the increase in quantity of earthwork formation in 5<sup>th</sup> & part bill without checking of contents which resulted in excess payment to the contractor.

### **BASIS:**

As seen from the report of the V&E Dept. in Report No.35 (736/V&E/E2/2006) dt. 09.10.2009 in respect of the work "CPWS to Kotagiri and 23 habitations (Phase-II)" in Nizamabad District, the total net quantity of the component (bund formation) as executed in the field was 1,66,207.19 cum only and the same was completed by 2<sup>nd</sup> & Part bill and no further work on the item was either executed or recorded in any M. Book till the final bill.

In C.C. 2<sup>nd</sup> and part bill, originally, the executed quantity (bund formation) which was recorded as 1,38,422.56 cum has been check measured with deductions as 1,34,825.25 cum (pg 46 of MB No.633/01-A). The total quantity as per CC 1<sup>st</sup> & CC 2<sup>nd</sup> bill is 1,66,207.10 cum and all these quantities were corrected/over written which are check measured by the Deputy Executive Engineer and the final measurements considered as under:

Executed quantity in CC IInd & Part bill: 1,56,279.13 cum  
(original 1,38,423.66 cum)

Net quantity : 1,52,664.22 cum  
(original 1,34,808.75 cum)

Total quantity of two bills : 1,84,062.66 cum  
(original 1,66,207.19 cum)

As seen from the M.Book No.633/01-A wherein detailed measurements were recorded the full quantity of earth work for formation of bund was recorded and check measured by the time of CC 2<sup>nd</sup> & Part bill i.e., quantity of 1,84,062.66 cum and check measured. However, in MB No.627/01-A i.e, abstract of payments, the quantity recorded for payment is as under:-

CC 2 <sup>nd</sup> & Part	:	1,66,207.19 cum
CC 3 <sup>rd</sup> & Part	:	1,74,204.18 cum
CC 4 <sup>th</sup> & Part	:	1,74,204.18 cum
CC 5 <sup>th</sup> & Part	:	1,84,062.66 cum

From the above, it is clear evident that, when no formation work was carried out after recording and check measurement. in CC 2<sup>nd</sup> and part bill, the total earthwork quantity should remain constant. Further, the payment for earthwork was fully paid after CC 2<sup>nd</sup> & part bill. As the concerned section officer has also accepted that no work was carried out after CC 2<sup>nd</sup> & part bill. Hence, the increase recorded in quantities after CC 2<sup>nd</sup> & part bill was not with reference to executed work. Originally the full quantity of 1,66,207.29 cum was recorded and check measured in CC 2<sup>nd</sup> & part bill, but subsequently the quantity was corrected as 1,84,062.86 cum and payment for excess quantity of 17,222.07 cum was recorded check measured and released in CC 3<sup>rd</sup> & part bill (7,996.99 cum) and CC 5<sup>th</sup> & part bill (9,858.48 cum).

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Thus there was an enhanced quantity of 9858.48 cum in the formation item from 4<sup>th</sup> & part bill to 5<sup>th</sup> & part bill. He failed in noticing the corrections made in P.No.46 of M.B.No.633/2001-A and without support of the record measurements, he allowed enhanced quantity from CC 5<sup>th</sup> & part bill to 8<sup>th</sup> & final bill.

The payment is a deliberate fraud committed and the corrections were not even attested by any officer which is primary obligatory requirement.

After bringing the above irregularity into light by V&E dept. only, the concerned Executive Engineer had adjusted the above amount by TEO duly forfeiting deposits of contractor and also by way of challan dt. 09.07.2007. Had not the V&E Dept., inspected the work and pointed out the above irregularity, there would have a huge financial loss to the state exchequer.

Had he noticed the increase in quantity of earthwork formation in 5<sup>th</sup> & part bill, the irregularity would have been stopped. Thus he failed in attending his legitimate duties which is a serious lapse which should not have expected from the loyal Government servant.

Hence, the Charge.

M.V.P.C. SASTRY  
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER

ANNEXURE-II

(to G.O.Rt.No. 73 , Panchayat Raj & Rural Development Department,  
dated. 20.01.2010)

List of documents by which the article of charges is proposed to be sustained against Sri Z. Sudhakar, formerly Asst. Executive Engineer, Drawing Branch at Banswada Division, Nizamabad District now at Panchayat Raj.

Vigilance Report No.35 (736/V&E/E2/2006), dt. 12-03-2008 of G.A. (V&E) Dept.

M.V.P.C. SASTRY  
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER

ANNEXURE-III

(to G.O.Rt.No. 73 , Panchayat Raj & Rural Development Department,  
dated. 20.01.2010)

List of witnesses by whom the article of charges is proposed to be sustained against Sri Z. Sudhakar, formerly Asst. Executive Engineer, Drawing Branch at Banswada Division, Nizamabad District now at Panchayat Raj.

-Nil-

M.V.P.C. SASTRY  
PRINCIPAL SECRETARY TO GOVERNMENT

//FORWARDED: BY ORDER//

SECTION OFFICER